



## INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels Jr.*  
**Governor**

*Thomas W. Easterly*  
**Commissioner**

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[www.idem.IN.gov](http://www.idem.IN.gov)

### VIA CERTIFIED MAIL

### SAMPLE LETTER ONLY

Dear SAMPLE LETTER ONLY:

Re: Emergency Authorizations

Recent flooding has caused significant damage to many culverts, bridges, dams and roads in Indiana. This damage has resulted in a significant danger to public health and safety as many routes are unsafe. Emergency vehicle movement may also be compromised. Emergency repairs are necessary to avoid further loss of life. When these repairs affect Waters of the U.S., authorization from the U.S. Army Corps of Engineers (USACE) and the Indiana Department of Environmental Management (IDEM) is required. IDEM and the USACE have authorized certain repair activities in advance. This notice is to advise you of IDEM's emergency authorizations in order to facilitate timely repairs. The Indiana Department of Natural Resources (IDNR) is currently working on an emergency rule making to facilitate these repairs under their regulatory programs as well.

U.S. Army Corps of Engineers' Nationwide Permit #3 authorizes "[t]he repair, rehabilitation, or replacement of any previously authorized, currently serviceable, structure..." such as a culvert, dam, bridge, causeway, etc. Certain limits do apply. Notification to USACE is only required for dredging and debris removal activities associated with maintenance. IDEM requires no notification for authorized activities under Nationwide Permit #3.

Nationwide Permit #45 authorizes the repair of upland areas damaged by discrete storm events including bank stabilization to protect the restored uplands. Repairs, including bank stabilization, must match the existing contours or ordinary high water mark that existed prior to the damage. USACE requires a pre-construction notification for use of Nationwide Permit #45; no notification to IDEM is needed.

For more information on the USACE's Nationwide Permits, including applicable conditions, please visit [http://www.usace.army.mil/cw/cecwo/reg/nationwide\\_permits.htm](http://www.usace.army.mil/cw/cecwo/reg/nationwide_permits.htm). Visit <http://www.in.gov/ideM/files/nwpletter.pdf> for more information on IDEM's Water Quality Certification and any applicable conditions.



For emergency discharges that do not qualify as one of these pre-approved authorizations, please contact USACE Louisville District at (502)315-6733. If you have any questions about IDEM's emergency authorizations, please contact James Robb, Section Chief, at 317-233-8802, or you may contact the Office of Water Quality through the IDEM Environmental Helpline (1-800-451-6027).

Sincerely,

Martha Clark Mettler  
Deputy Assistant Commissioner  
Office of Water Quality

cc: Doug Shelton, USACE-Louisville  
Mike Neyer, IDNR-Division of Water